

GIBSON DUNN

Gibson, Dunn & Crutcher LLP

200 Park Avenue
New York, NY 10166-0193
Tel 212.351.4000
gibsondunn.com

Brian Rosenthal
Direct: +1 212.351.2339
Fax: +1 212.817.9539
BRosenthal@gibsondunn.com

September 5, 2024

Timothy K. Gilman
tim.gilman@srz.com
919 Third Avenue
New York, NY 10022
212.756.2000

Re: *Varia Holdings LLC v. Apple, Inc.*, No. 23-cv-7477-RPK-RML (E.D.N.Y.)

Counsel:

On behalf of Defendant Apple Inc., and pursuant to Individual Practice Rule of Judge Rachel P. Kovner IV.B.3.a, we are attaching Defendant's Notice of Motion to Stay Pending *Inter Partes* Review, supporting Memorandum of Law, and the supporting Declaration of Nathaniel Scharn attaching Exhibits 1–7. We understand from your September 5, 2024, email that Varia does not consent to a stay. Pursuant to Individual Practice Rule of Judge Rachel P. Kovner IV.B.3.c, Defendant will file these documents, along with all opposition and reply papers, after the motion has been fully briefed.

Sincerely,

GIBSON, DUNN & CRUTCHER LLP



Brian Rosenthal
Partner

Encls. (by email)